



Entered on Docket
December 01, 2009

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com
Fax: 702 258-8787

MARK S. BOSCO, ESQ.

Arizona Bar No. 010167
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000

Bank of New York Mellon Trust Company as grantor trustee of Protium Master Grantor Trust
09-77057

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Richard Alan Berk and Roberta Ellen Berk

Debtors.

BK-S-09-27677-bam

Date: 11/10/09
Time: 1:30 p.m.

Chapter 7

1 **ORDER VACATING AUTOMATIC STAY**

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor Bank of New York Mellon Trust Company as grantor trustee of Protium Master
5 Grantor Trust, its assignees and/or successors in interest, of the subject property, generally described as
6 435 Beardsley Cir., Henderson, NV 89052, and legally described as follows:

7 LOT FIVE (5) IN BLOCK THREE (3) OF FINAL MAP OF GREEN VALLEY RANCH
8 PARCEL 45 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 84 OF PLATS PAGE 95
9 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY NEVADA.

10 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
11 **give Debtors at least five business days' notice of the time, place and date of sale.**

12 DATED this _____ day of _____ 2009

13 Submitted by:

14 **WILDE & ASSOCIATES**

15 By: /s/Gregory L. Wilde, Esq.
16 **Gregory L. Wilde, Esq.**
17 Attorney for Secured Creditor
18 208 South Jones Boulevard
19 Las Vegas, Nevada 89107

20 APPROVED / DISAPPROVED

21 By: _____
22 Frank J. Sorrentino
23 1118 E. Carson Ave.
24 Las Vegas, NV 89101
25 Attorney for Debtor(s)

26 APPROVED / DISAPPROVED

27 By: _____
28 James F. Lisowski, Sr.
29 P.O Box 95695
30 Las Vegas, NV 89193
31 Chapter 7 Trustee

ALTERNATIVE METHOD RE: LOCAL RULE 9021;

In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

- The court waived the requirements of LR 9021.

No parties appeared or filed written objections, and there is no trustee appointed in the case.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

(List Parties)

Debtor's counsel:

- approved the form of this order disapproved the form of this order

waived the right to review the order and/or failed to respond to the document

appeared at the hearing, waived the right to review the order

matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

- approved the form of this order disapproved the form of this order
 waived the right to review the order and/or failed to respond to the document

Other Party:

- approved the form of this order disapproved the form of this order
 waived the right to review the order and/or failed to respond to the document

Breach Order:

- ____ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of this proposed order were transmitted to Debtor's counsel and appointed trustee to which they have not replied

Submitted by:

/s/ Gregory L. Wilde, Esq.
Gregory L. Wilde, Esq.
Attorney for Secured Credit